

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

JUAN CARLOS PRADO NICASIO

Debtor

CASE NO. 19-06224 MCF

CHAPTER 13

JUAN CARLOS PRADO NICASIO

ADVERSARY NO. 19-462

Plaintiff

Vs.

**DIONISIO BENITEZ RODRÍGUEZ ALSO D/B/A
FERRETERÍA MONTALVO;
FERRETERÍA MONTALVO INC.
MARILIN PRADO NICASIO
BANCO POPULAR DE PUERTO RICO**

Defendants

**MOTION IN COMPLIANCE OF ORDER AND REQUEST FOR
ISSUANCE OF NEW SUMMONS**

TO THE HONORABLE COURT:

COMES NOW Plaintiff, through the undersigned attorney and very respectfully **STATES** and **PRAYS** as follows:

1. After an intensive search of the summons that were executed in the instance case, we have been unable to find the evidence to submit them for the record.
2. As this Honorable Court can take notice, with one of the Defendants, Banco Popular who was served together with the other defendants, we reached an agreement that this Honorable Court approved.
3. We have been in touch with sister counsel Lizzette Morales, who is the counsel of Defendants Ferreteria Montalvo and Dionisio Benitez in the Bankruptcy proceeding. Ms. Morales informed us that has not file appearance as counsel of record in this adversary because the complaint and summons of her client were sent to a wrong address. Ms. Morales informed us that, as soon it is resend to the correct address as appears in the Bankruptcy records, they will make the appearance in the instance case.

4. As also informed to this Court, we have been in very active with the prosecution of the case because defendants Benitez and Ferreteria Montalvo thru their counsel in coordination with the undersigned has already visited the property with an appraisal and we are waiting the results for a possible agreement.

5. We request to this Honorable Court to allow the issuance of new summons in this case to execute them immediately, because the purpose of this adversary is pivotal for the confirmation of the Chapter 13 in the confirmation proceedings.

WHEREFORE, Debtor/Plaintiff respectfully prays that this court take notice of the information herein stated and the order compliance and therefore allow and order the issuance of new summons for all Defendants in the instance case.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY: That on this same date I electronically filed the above document with the Clerk of the Court using the CM/ECF System which sends a notification of such filing to attorney Eduardo Veray, Esq. of Banco Popular. I further certify that I have served this document by electronic means to the CM/ECF participants and or a true and correct copy by regular mail to the non CM/ECF participants and to all creditors and parties with interest.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this June 30, 2020.

/s/Ada M. Conde

ADA M. CONDE, ESQ.

USDCPR 206209

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